

8/045/0065

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WELLMAN MINERALS CORPORATION
1042 E. Fort Union Blvd, Suite 127, Midvale, UT 84047
(801) 440-1955 • wmc@qwest.net

RECEIVED
2009 JUL -2 PM 2:51
USDI - BLM

July 2, 2009

Via Hand-Delivery

RECEIVED
7/2/09
Kamen Schmidt

United States Department of the Interior
Bureau of Land Management
Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah 84119

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JUL 02 2009

DIV. OF OIL, GAS & MINING

Attention: Mr. Michael G. Nelson
Assistant Field Manager
Nonrenewable Resources

Re: 3809; U-69198 (UTW011)

Dear Mr. Nelson:

The following is submitted in answer to your request of June 10, 2009:

(1) We will reopen the existing ore sample pit located in the proposed pit area, which was filled in by trespassers. Bulk test samples of presumed ore from the proposed pit area allowed by our Notice will be taken to an estimated depth of thirty-five (35) feet after removal of an estimated ten (10) feet of overburden. No additional pits and/or trenches are proposed.

(2) Our Reclamation Cost Model submitted April 6, 2009 as an attachment to our Notice of the same date outlined the methods to be used to reclaim the site, to wit:

- (a) Light dozer recontouring earth work;
- (b) 2500 linear feet of recontouring work by excavator* on roads with a <30% side slope;
- (c) 0.5 acres of recontouring work by excavator* on areas of non-road disturbance of <30% slope where the use of a dozer would not be adequate, including regrading and reshaping to conform with adjacent land forms to control drainage and minimize erosion; and
- (d) Revegetation of road and non-road disturbances with manual spreading of reseeding material provided by the State of Utah.

We will follow a reasonable and customary mineral exploration, development, mining and reclamation sequence consistent with the mining laws and performance standards as outlined in my letter of May 7, 2009.

*may include bulldozers with rippers, front-end loaders, backhoes, or earthscrapers, as needed.

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A cash reclamation bond financial guarantee in the sum of \$3,785.00 was accepted by the BLM on September 14, 2004 and by the DOGM on December 15, 2006.

In complying with your June 10, 2009 request for clarification, I do not waive or relinquish my established right of full compliance under Title 43: Public Lands: Interior, Section 3809, et.seq., nor my right to begin operations.

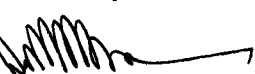
The BLM has failed to comply with Title 43: Public Lands: Interior, Sections 3809.311, 3809.312, and 3809.313, as follows:

- (a) On April 6, 2009, Wellman Minerals Corporation filed its Notice and accompanying reclamation plan with the BLM, using BLM-approved forms.
- (b) The BLM responded with an *undated* letter requesting additional information.
- (c) On May 7, 2009, Wellman Minerals Corporation filed a full, complete and timely response with the BLM, via hand-delivery.
- (d) On June 10, 2009, the BLM responded with another letter requesting more information — thirty four (34) calendar days after receipt of the May 7 response, or nineteen (19) days late according to the statute.

Sections 3809.311, 3809.312 and 3809.313 of Title 43 clearly state under what circumstances I may not begin operations 15 days after filing my Notice. Those sections also require that the BLM notify me *within 15 calendar days* if the BLM needed an additional 15-day period of time to complete its review. The BLM failed to advise me within 15 days following my May 7, 2009 letter of compliance.

BLM non-compliance with the statute allows me the presumption of full compliance, and the right to begin operations.

Sincerely,



Walter R. Wellman, President
Wellman Minerals Corporation

cc: Paul Baker, DOGM

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